

CITY AND COUNTY OF SAN FRANCISCO



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January 20, 2012

United States Magistrate Judge Bernard Zimmerman
450 Golden Gate Ave., Courtroom C, 15th Floor
San Francisco, CA 94102

Re: *Saeed Ibrahim v. City and County of San Francisco, et al.*
U.S. District Court Case No. CV-11-1695-RS

Dear Judge Zimmerman:

I represent the City and County of San Francisco and all seven of the police officers who have been named as defendants. I write to request that the Court relieve from attendance at the February 9, 2012 settlement conference all individual defendants with the exception of Sergeant Robert Bohanan, Officer Buddy Siguido, and a representative from the San Francisco Police Department, who will have full authority to negotiate settlement terms on behalf of the City *and* the individual defendants. Plaintiff's counsel does not oppose this request.

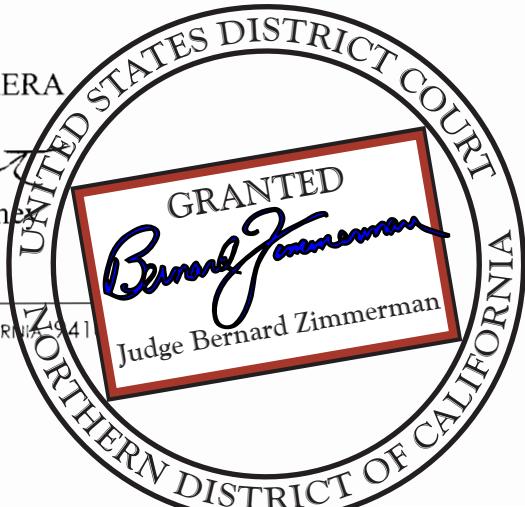
This is a 42 U.S.C. section 1983 case primarily involving claims of false arrest and excessive force against Sergeant Bohanan. On February 22, 2010, Plaintiff returned home to find a repo man outside of his house, seeking to repossess Plaintiff's car. There is a dispute of fact as to whether Plaintiff struck the repo man with his vehicle. After that incident, Plaintiff went inside his home, and the repo man called 911. Officers arrived at the scene. Plaintiff alleges Sergeant Bohanan ordered Plaintiff to come outside, and when Plaintiff refused, alleges that Sergeant Bohanan pointed his gun at Plaintiff. Plaintiff further alleges that Sergeant Bohanan instructed other officers to kick down Plaintiff's door. Defendants dispute these facts.

Requiring the remaining defendants to attend would impose substantial hardship on the City by making them unavailable to perform their duties. Further, it is my experience that the attendance of individual police officers at settlement conferences in cases of this nature may hinder the negotiations because of the often tense environment created by putting the officers and the plaintiff together in the same room. This is particularly true in a case like this one in which the plaintiff has a strong emotional response toward the defendants. Finally, and perhaps most importantly, the City will have a representative from the San Francisco Police Department's legal division who will have the authority to negotiate settlement terms on behalf of the City *and* the individual defendants.

For all the aforementioned reasons, defendants respectfully request that all defendants with the exception of Sergeant Bohanan, Officer Siguido, and a representative from the Police Department be excused from the requirements of this Court's standing order regarding settlement conferences.

Dennis J. Herrera
cc: Todd Toral, Kathleen Kizer

Very truly yours,
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